## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA BIG STONE GAP DIVISION

UNITED STATES OF AMERICA	)	
	)	Case No. 2:10CR00007
v.	)	ORDER
JASON SMITH,  Defendant.	)	By: James P. Jones
	)	United States District Judge

For the reasons set forth in the Opinion accompanying this Order, it is **ORDERED** as follows:

- 1. Defendant's Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C.A. § 2255 is DENIED;
- 2. Defendant's Motion to Seal (ECF No. 59) is DENIED as unnecessary; and
- 3. Based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability is DENIED.

ENTER: February 27, 2012

/s/ James P. Jones
United States District Judge